

Classification and Placement Manual

Kentucky Department of Juvenile Justice

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I. MISSION STATEMENT AND DEFINITIONS

A. Mission Statement:

The Kentucky Department of Juvenile Justice (DJJ) provides a range of services to sentenced, committed, probated and detained youth and their families, creating opportunities for those youth to develop into productive, responsible citizens while enhancing public safety.

B. Definitions:

1. “Adjudication” means a judicial determination (judgment) that a juvenile is responsible for a public offense or status offense that is charged in a petition or other charging document.
2. “Administrative Transfer Request” (ATR) is a request for consideration for any committed youth for whom a change or extension within the placement continuum is requested.
3. “Absent Without Leave” (AWOL) means a youth that leaves an approved placement without advanced approval from the supervising authority or is absent from an approved community setting for more than three (3) hours without notification.
4. “Case Management Needs Assessment” (CMNA) means an assessment tool utilized to identify treatment needs to be addressed in the case plan and treatment plan.
5. “Child and Adolescent Service Intensity Instrument (CASII)” means a mental health assessment tool that determines the type of mental health treatment needed for a child or adolescent and level of placement.
6. “Classification” means a system for determining the least restrictive environment within which the youth’s treatment needs can safely be met, identifying special needs of a youth, and identifying the level of structure and supervision required by a youth.
7. “Commitment” means an order of the court which places a child under the custodial control or supervision of DJJ in compliance with KRS 635.060.
8. “Dispositional Matrix” means a structured decision making tool used for providing dispositional recommendations to District Court and sentencing information in conjunction with the PSI to Circuit Court.

9. “Group Home” means a residential program emphasizing family-style living in a homelike environment that generally houses eight (8) to ten (10) youth.
10. “Maximum Secure Facility” means a juvenile residential facility which includes construction features designed to physically restrict the movements and activities of persons in custody. These features include locked rooms and units, buildings with a control center, security fences, or other advanced security measures as deemed necessary by the Commissioner of the Department of Juvenile Justice.
11. “Physically Secure” means a facility that relies primarily on the use of construction and hardware such as locks, bars, and fences to restrict freedom KRS 600.020.
12. “Placement” means the assigned residence of a youth in the placement continuum that ranges from Level 0 through Level 5, with Level 0 being community placement under conditions of supervised placement, and Level 1 through 5 placements being out-of-home placements determined by the Division of Placement Services, Classification Branch.
13. “Placement Matrix” means a structured decision making tool to identify initial placement options for public offenders, declared juvenile sexual offenders, and youthful offenders based on offense severity and risk to reoffend.
14. “Predisposition Investigation Report (PDI)” means a report based on an investigation concerning the nature of the specific act complained of, and any surrounding circumstance which suggests the future care and guidance which should be given to the youth. This investigation shall be provided to the court in a written format. Reference KRS 610.100.
15. “Presentencing Investigation Report (PSI)” means a report by which relevant information on the youth and family is collected to assist the Circuit Court in determining a sentencing recommendation for a youthful offender, following conviction. Reference KRS 640.010.15.
16. “Private Child Care (PCC)” means a privately owned and operated agency or company that provides residential services for the youth in accordance with contracts or agreements with the Department of Juvenile Justice.
17. “Probation” means a case in which the youth is placed on court-ordered supervision.
18. “Psychiatric Residential Treatment Facility (PRTF)” is defined in KRS 216B.450.

19. “Risk and Criminogenic Needs Assessment (RCNA)” means a standardized method of data collection that estimates the likelihood that continued delinquent behaviors will occur without intervention and guides intervention planning.
20. “Staff Secure” means any setting that assures that all entrances and exits are under the exclusive control of the facility staff and in which a child may reside for the purpose of receiving treatment KRS 600.020.
21. “Supervised Placement” means the assigned residence of a committed youth in Level 0 community placement.
22. “Suspended / Probated Commitment” means if a youth is eligible for commitment and the court believes community services exist for the child to be successful that commitment may be probated.
23. “Therapeutic Foster Care (TFC)” means an out-of-home placement providing twenty-four (24) hour care for a youth in the private home of an individual or family. The foster care agency provides therapeutic and treatment services to foster parents and youth. Such placement is to be arranged by DJJ through a properly licensed provider with a therapeutic foster care component.
24. “Treatment” means the provision of professional services and evidenced based practices to address behavioral, educational, psychological, and medical needs as determined by appropriate assessments.
25. “Treatment Team” means the professionals, youth, family members, and other supporters who work in conjunction to assist and support youth in achieving goals.

II. DISPOSITIONAL RECOMMENDATION

A. Initial Assessment and Recommendation

1. The Juvenile Service Worker (JSW) shall complete the Risk and Criminogenic Needs Assessment (RCNA) each time a youth is adjudicated on a public offense or convicted as a youthful offender (YO).
2. The JSW shall utilize the DJJ dispositional matrix to make a recommendation to the court. After reviewing the matrix, see II. B., C., D., and E. to determine the appropriate recommendation.
3. When multiple options are available on the matrix the least restrictive dispositional option shall be recommended after review of the factors in II. B., C., D., and E.

B. Recommendation for Non-DJJ Services

Factors which shall be considered when evaluating a recommendation for non-DJJ services include:

1. Services are available in the community to meet the youth's needs or no services are required; and
2. The ability of the parent, caregiver or other family members, including extended family, to provide adequate supervision of the youth and demonstrate a willingness to participate in the youth's treatment.

C. Recommendation for Probation

1. Factors which shall be considered when evaluating a recommendation for probation include:
 - a. Services are available in the community to meet the youth's needs or no services are required; and
 - b. The ability of the parent, caregiver, or other family members, including extended family, to provide adequate supervision of the youth, demonstrate a willingness to participate in youth's treatment, and one or more of the following are present:
 - i. Previous judicial discretion dispositions were unsuccessful;
 - ii. Previous treatment services were unsuccessful; or
 - iii. Youth requires case management and supervision.

2. Non-DJJ services which meet the youth's needs may be recommended in lieu of DJJ probation.

D. Recommendation of Suspended / Probated Commitment

1. Factors which shall be considered for recommendation for suspended/ probated commitment include:
 - a. Youth must meet the statutory requirements for commitment under KRS 635.060.
 - b. Services are available in the community to meet the youth's needs or no services are required; and
 - c. The ability of the parent, caregiver, or other family members, including extended family, to provide adequate supervision of the youth, demonstrate a willingness to participate in youth's treatment, and one or more of the following are present:
 - i. Previous judicial discretion dispositions were unsuccessful;
 - ii. Previous treatment services were unsuccessful; or
 - iii. Youth requires case management and supervision.

E. Recommendation of Commitment

1. Factors which shall be considered when evaluating a recommendation for commitment include:
 - a. Youth's treatment needs require out of home placement;
 - b. The inability of the parent, caregiver, or other family members, including extended family, to provide adequate supervision of the youth or an unwillingness to participate in the youth's treatment;
 - c. Previous judicial discretion or probation dispositions were unsuccessful; or
 - d. Previous treatment services were unsuccessful.
2. If the youth has been designated as a declared juvenile sexual offender (JSO) pursuant to KRS 635.505 and KRS 635.510, the recommendation shall be commitment.

F. The JSW shall submit the RCNA and the Pre-disposition Investigation (PDI) report, if applicable, to the court, prosecutor, and defense attorney, three (3) business days prior to disposition.

G. The JSW shall submit the RCNA and the Pre-sentence Investigation (PSI) report to the court, prosecutor, and defense attorney five (5) business days prior to sentencing.

H. Placement Decision for Youth Committed or Sentenced to DJJ

1. The JSW and Juvenile Services District Supervisor (JSDS) shall utilize the initial placement matrix to determine the appropriateness for submission of the placement referral to Classification.
2. When multiple placement options are available in the initial placement matrix, the least restrictive placement option shall be utilized after review of the factors in II. G. 3.
3. The JSW in consultation with the JSDS shall use the following factors to determine if the youth will remain in the community on supervision or will be referred for out of home placement.
 - a. Factors which shall be considered for youth to remain in the community include:
 - i. Services to address treatment needs that are available in the community, including DJJ Community and Mental Health Services and non-DJJ agencies, have not been exhausted;
 - ii. Parent, caregiver, other family members participation in treatment and supervision;
 - iii. The level of the committing offense and risk level as outlined in the placement matrix; and
 - iv. Current commitment to the Cabinet for Health and Family Services (CHFS).
 - b. Factors which shall be considered for a youth to be referred for out of home placement include:
 - i. Services to address treatment needs are not available or have been exhausted in the community to meet the youth's needs;
 - ii. The inability of the parent, caregiver, or other family members, including extended family, to provide adequate supervision of the youth or an unwillingness to participate in the youth's treatment;
 - iii. The level of the committing offense and risk level as outlined in the placement matrix;
 - iv. Previous DJJ probation or commitment;
 - v. Current commitment to CHFS and exhibiting unlawful behaviors;

- vi. Documented absent without leave (AWOL) risk;
 - vii. Community safety is at issue because the youth's current or prior behavior indicates a significant risk of harm to self or others; or
 - viii. Previous placement disruptions.
- c. Overriding factors to consider for youth to remain in the community include:
- i. Age of youth under twelve (12) years old; and
 - ii. Disabilities such as deafness, blindness, chronic illness, or physical disabilities.

I. Risk and Criminogenic Needs Reassessments

All youth shall be reassessed at case closure or upon adjudication for a new offense and shall be documented in the youth's individual client record (ICR).

Dispositional Matrix

Offense Severity (Current Adjudicated Offense)	Statute	Risk Level		
		Low Risk	Moderate Risk	High Risk
Felony A , B or C	KRS 635.060	Non-DJJ Services	Probate to DJJ	Probate to DJJ
		Probate to DJJ	Suspended/probated commitment	Suspended/probated commitment
		Suspended/probated commitment	Commit to DJJ	Commit to DJJ
		Commit to DJJ		
Felony D with: 3 prior adjudications excluding violations or 4 prior adjudications of violations	KRS 635.060(4)(a)(1)	Non-DJJ Services	Non-DJJ Services	Probate to DJJ
		Probate to DJJ	Probate to DJJ	Suspended/probated commitment
			Suspended/probated commitment	Commit to DJJ
			Commit to DJJ	
Felony D (does not qualify for suspended commitment)	KRS 635.060(4)(a)(1)	Non-DJJ Services	Non-DJJ Services	Non-DJJ Services
			Probate to DJJ	Probate to DJJ
Misdemeanor A or B with: 3 prior adjudications excluding violations or 4 prior adjudications of violations	KRS 635.060(4)(a)(1)	Non-DJJ Services	Non-DJJ Services	Non-DJJ Services
		Probate to DJJ	Probate to DJJ	Probate to DJJ
			Suspended/probated commitment	Suspended/probated commitment
			Commit to DJJ	Commit to DJJ
Misdemeanor A or B (does not qualify for suspended commitment)	KRS 635.060(4)(a)(1)	Non-DJJ Services	Non-DJJ Services	Non-DJJ Services
			Probate to DJJ	Probate to DJJ
Probation Violation with no suspended commitment	KRS 635.060(2)(b)(2)	Non-DJJ Services	Non-DJJ Services	Non-DJJ Services
Probation Violation with suspended commitment	KRS 635.060(2)(b)(2) KRS 635.060(5)(a),(b)	Continue Probation	Commit to DJJ	Commit to DJJ
		Commit to DJJ		

Table 1. Dispositional Matrix

Dispositional Matrix Offenses Involving a Deadly Weapon, Sexual Offenses, and Youthful

Offense Severity	Statute	Risk Level		
		Low Risk	Moderate Risk	High Risk
Offense Involving Deadly Weapon Felony D Misdemeanor A or B	KRS 635.060(4)(a)(2)	Non-DJJ Services	Non-DJJ Services	Probate to DJJ
		Probate to DJJ	Probate to DJJ	Suspended/probated commitment
			Suspended/probated commitment	Commit to DJJ
			Commit to DJJ	
	KRS 635.060(4)(a)(1)	Non-DJJ Services	Non-DJJ Services	Probate to DJJ
		Probate to DJJ	Probate to DJJ	Suspended/probated commitment
			Suspended/probated commitment	Commit to DJJ
			Commit to DJJ	
Sexual Offenses- <u>Declared*</u> Felony Sexual Offense (Mandatory Declared JSO) Misdemeanor A or B (Recommendation of Declared JSO)* Sexual Offense- <u>Non-Declared*</u> (Recommendation of Non Declared due to age, IQ or psychosis) Felony A, B, C or Misdemeanor*	KRS 635.515	Commit to DJJ	Commit to DJJ	Commit to DJJ
	KRS 635.505(2)(g) KRS 635.510(2)(a),(b) KRS 635.515(1)	Commit to DJJ	Commit to DJJ	Commit to DJJ
	KRS 635.505(2)(g) KRS 635.510(2)(a),(b)	Refer to Dispositional Matrix page 1 for corresponding recommendation based on Public Offender Offense Classification and Risk Level		
Youthful Offender	KRS 640.030	Risk and Criminogenic Needs to be submitted to the court in conjunction with the PSI. Sentencing to be determined by the court		

*For any youth adjudicated as a juvenile sexual offender, the JSO Risk Assessment will be used in conjunction with the Risk and Criminogenic Needs Assessment as part of the dispositional recommendation

Table 2. Dispositional Matrix Offenses Involving a Deadly Weapon, Sexual Offenses, and Youthful Offenders

III. INTERSTATE COMPACT

Youth on probation or parole in another state and processed through Interstate Compact for supervision in Kentucky shall have a RCNA administered by the JSW within seven (7) business days of Kentucky accepting supervision, and shall be subject to DJJ's community phase system and any requirements imposed by the referring state. Youth shall not be released from supervision without approval from the referring state.

IV. PLACEMENT CONTINUUM AND TIMEFRAMES

A. The Level of Placement Continuum is as follows:

- Level 0 Home or other placement arranged by parent or caregiver on conditions of supervised placement, as defined by DJJPP Chapter 6, Definitions.
- Level 1 Therapeutic Foster Care (TFC).
- Level 2 Group Home, Private Child Care Providers (PCC).
- Level 3 Staff Secure Youth Development Centers (YDC).
- Level 4 Physically Secure YDC.
- Level 5 Maximum Secure YDC.
- No Level Psychiatric Residential Treatment Facility (PRTF), Psychiatric Hospital admissions facilitated by the Classification Branch.

B. Commitment and Out of Home Timeframes

1. Class A or B Misdemeanor (excluding declared JSO's or offense involving a deadly weapon)
 - a. A maximum of four (4) months of out of home placement including detention pursuant to KRS 15A.0652.
 - b. An extension of the length of out of home placement pursuant to KRS 15A.0652 may be considered as referenced in VII. Administrative Transfer Request (ATR).
 - c. Maximum commitment timeframe is not to exceed twelve (12) months pursuant to KRS 635.060.
 - d. Unless the ATR Committee has authorized the extension of placement, the youth shall be released at the end of the statutory timeframe for out-of-home placement.
2. Class D Felony (excluding declared JSO's or offense involving a deadly weapon)
 - a. A maximum of eight (8) months of out of home placement including detention pursuant to KRS 15A.0652.
 - b. An extension of the length of out of home placement pursuant to KRS 15A.0652 may be considered as referenced in VII. Administrative Transfer Request (ATR).

- c. Maximum commitment timeframe is not to exceed eighteen (18) months pursuant to KRS 635.060.
- d. Unless the ATR Committee has authorized the extension of placement, the youth shall be released at the end of the statutory timeframe for out-of-home placement.

V. INITIAL PLACEMENTS

A. Community Process for Out Of Home Placement Requests

1. For committed or sentenced youth who are determined by the JSW and JSDS to need out of home placement, the JSW shall compile the out of home placement packet to include the following:
 - a. Face Sheet;
 - b. Out of Home Justification;
 - c. Petitions related to current commitment;
 - d. Commitment Orders or Sentencing Order;
 - e. All Relevant Assessment Information (RCNA, Case Management Needs Assessment (CMNA), Psychological Reports, Psychosexual Assessment, or any other available assessments);
 - f. Social History information recorded in the ICR;
 - g. PDI or PSI;
 - h. Medical, School, or Detention Reports, if applicable and available;
 - i. Suspended Commitment Probation Violation Reports;
 - j. Educational Records;
 - k. Discharge Summaries from other programs, if applicable; and
 - l. Incident Reports, if applicable.
2. Referrals for out of home placement shall be approved by the JSDS or designee. The JSW shall submit the out of home placement packet electronically to the Classification Branch within seven (7) business days after commitment unless an extension is approved through the JSDS to the Classification Branch Manager.

B. Classification Process to Determine Out of Home Placement

1. After the out of home placement packet is received electronically by Classification, the documents shall be reviewed for accuracy, completeness, consistent scoring on the RCNA, adherence to the dispositional matrix, and statutory requirements for commitment. Classification may reject the referral or request additional information to be submitted. Rejection of a referral may occur because the youth does not meet the criteria for out of home placement, the

referral is incomplete, or any other reasons as determined by the Classification Branch staff. The final decision as to whether a youth is placed out of home is the responsibility of the Classification Branch Manager or designee.

2. If the Classification Branch Manager or designee determines the youth does not meet criteria for out of home placement the Juvenile Services Specialist (JSS), JSW, and JSDS shall be notified of the reasons for rejection. A request for an override may be made through the Division Director of Community and Mental Health Services to the Division Director of Placement Services, in Section VI.
3. Placement decisions shall be made with respect to the RCNA, CMNA with identified top three (3) treatment needs, and any other treatment needs of the youth, community safety, and consideration of the least restrictive available placement, consistent with the initial placement matrix, which is closest to the youth's place of residence. If an out of home placement is warranted, the process outlined in Section V. C. shall be followed.
4. When the determination is made to utilize a PCC residential placement with a religious affiliation for either an initial or step down placement the following shall occur:
 - a. The Classification Branch shall notify the JSW electronically that the placement option has a religious affiliation.
 - b. If Classification is not notified within three (3) business days of a youth, parent, or caregiver objection or is notified that there was no youth, parent, or caregiver objection, Classification shall send a referral packet to the targeted placement option.
 - i. If accepted the youth shall be placed consistent with the Classification and Placement Manual.
 - ii. If not accepted the youth shall be placed consistent with the Classification and Placement Manual regarding treatment needs and the Classification placement Level of the youth.
 - c. If Classification is notified within three (3) business days of a youth, parent, or caregiver objection to any or all placements with a religious affiliation, Classification shall hold the referral packet to the objectionable placement option, identify placement options without religious affiliation, and send a referral packet to the newly identified placement options.
 - i. If accepted, the youth will be placed pursuant to the Classification and Placement Manual.

- ii. If not accepted into alternate placement, or the treatment needs cannot be met at an alternate placement, the youth shall be placed consistent with the Classification and Placement Manual regarding treatment needs and Classification placement Level of the youth.
 - iii. Referral to the original placement may be considered along with any comparable placement Level within DJJ.
- d. If the youth is placed in the original placement option which was objected to by the parent, caregiver, or youth the Classification Branch shall:
 - i. Document the rationale for the placement despite youth, parent, or caregiver objection; and
 - ii. Send the youth and parent or caregiver a letter explaining the rationale for placement within fourteen (14) days of placement.
- 5. The Classification Branch shall administer the Child and Adolescent Service Intensity Instrument (CASII) for all public offender youth that meet any of the following criteria:
 - a. Current diagnosis on Axis I and II other than Attention Deficit Disorder with Hyperactivity (ADHD); and
 - b. Previous involvement in the Kentucky Interagency Mobilization for Progress in Adolescent and Child Treatment (KY IMPACT) program at any time during youth's lifetime; or
 - c. Three (3) or more acute psychiatric hospitalizations during the youth's lifetime;
 - d. Placement in a PRTF during youth's lifetime;
 - e. Current or past documentation or evidence indicating suicidal or homicidal ideations, severe depression, hallucinations, or rages (intense anger);
 - f. Current or past use of psychotropic medications;
 - g. Two (2) or more placements made by the Department of Community Based Services (DCBS) with any other listed above; or
 - h. Special education placements with any other listed above.
- 6. A YO shall not have an initial placement in a program with a security level lower than a Level 3 YDC.

7. The Classification Branch Manager or designee shall consider placement levels when determining out of home placement in accordance with the criteria outlined in Section V. C. and D.

C. Criterion for Level 1-5 Placements (Reference Table 3. & 4.)

Based upon the offense severity and the risk level as outlined in the placement matrix, youth may be placed when the following factors are present dependent upon placement level.

1. Factors to consider for Level 1 TFC

- a. Youth's ability to function appropriately in public school;
- b. Services available at the community level are not adequate to address youth's identified treatment needs;
- c. Parent, caregiver, or other family members, including extended family, lack the ability to provide adequate supervision of the youth, even though services are available in the community;
- d. Community safety is not an issue because the youth's current or prior behavior does not indicate a significant risk of harm to self or others; and
- e. Age-appropriateness of youth, which is as follows: appropriate for youth aged twelve (12) and younger; possible for youth aged thirteen (13) through seventeen (17); and not appropriate for youth aged eighteen (18) and over. Exceptions to this may occur based on the availability of specialized programming.

2. Factors to Consider for Level 2 GH or PCC

- a. Youth's need for supervision indicates twenty-four (24) hours a day, seven (7) days a week supervision. (Referring to the difference between TFC and GH or Residential PCC setting);
- b. Services available at the community level are not adequate to address youth's identified treatment needs;
- c. Community safety is not an issue because the youth's current or prior behavior does not indicate a significant risk of harm to self or others;
- d. Age-appropriateness of youth, which is as follows: appropriate for youth aged twelve (12) and younger; possible for youth aged thirteen (13) through seventeen (17); and not appropriate for youth aged eighteen (18) and over.

Exceptions to this may occur based on the availability of specialized programming; and

- e. Youth is considered to be an AWOL risk from home on multiple occasions or for significant lengths of time.

3. Factors to consider for Level 3 YDC

- a. Community safety is at issue because the youth's current or prior behavior indicates a significant risk of harm to self or others;
- b. Type of weapon and extent of potential for harm;
- c. Serious physical injury to victim. Reference KRS 500.080(15);
- d. Previous placement disruptions resulting in removal from placement;
- e. Multiple adjudications on current disposition;
- f. Age-appropriateness of the youth, which is typically not for youth aged twelve (12) and under. Exceptions to this may occur based on the availability of specialized programming;
- g. Youth is considered to be an AWOL risk due to previous AWOLs from TFC or PCC; and
- h. Community services are not available to address the extent of the youth's treatment needs.

4. Factors to consider for Level 4 YDC placement

- a. Documented aggression towards staff (persons providing residential supervision); or
- b. Documented AWOL (from a residential treatment facility, law enforcement custody, or detention);
- c. Previous unsuccessful placement in a Level 3 YDC;
- d. Youth is committed for an offense where he or she was personally responsible for a significant level of violent behavior;
- e. Offense involved intentional death of victim;
- h. Youth requires heightened security, supervision but not multiple physical plant limitations to reduce opportunity for AWOL;

- g. Youth qualifies for Level 5 placement but currently exhibits pro-social behaviors and therefore could maintain appropriate behavior in a small group setting; and
 - f. Age-appropriateness of youth age fourteen (14) or older.
5. Factors to consider for Level 5 (one of the following factors (a-c) and one of the following factors (d-e) shall be present)
- a. Offense involved intentional death of victim;
 - b. Previous AWOL from secure facility (detention or Level 4 YDC); or
 - c. Youth is committed for an offense where he or she was personally responsible for a significant level of violent behavior; and
 - d. Youth currently does not exhibit pro-social behaviors and therefore could not maintain appropriate behavior in a small group setting; or
 - e. Youth requires heightened security, supervision and multiple physical plant limitations to reduce opportunity for AWOL.
- D. Criterion for Referral for Placement in a PRTF or Psychiatric Hospital may include:
- 1. Documented mental health treatment including previous psychiatric placements or medical services;
 - 2. Hospitalization in an acute psychiatric setting within the past thirty (30) days;
 - 3. Multiple failed placements through KY IMPACT, DCBS, or DJJ;
 - 4. Previous psychological or psychiatric evaluation; and
 - 5. Current CASII administered.

Initial Placement Matrix (Excluding Declared Juvenile Sexual Offenders)

Committing Offense	Risk Level		
	Low	Moderate	High
Misdemeanor A or B Total out of home placement to not exceed 4 months	Level 0 Level 1	Level 0 Level 1 Level 2	Level 2 Level 3
Misdemeanor A or B involving a Deadly Weapon	Level 0 Level 1 Level 2	Level 2 Level 3	Level 2 Level 3
Felony D Total out of home placement to not exceed 8 months	Level 0 Level 1 Level 2	Level 2 Level 3	Level 2 Level 3
Felony D involving a deadly weapon	Level 0 Level 1 Level 2	Level 2 Level 3	Level 2 Level 3 Level 4
Felony C	Level 0 Level 1 Level 2	Level 2 Level 3	Level 3 Level 4 Level 5
Felony A or B	Level 2 Level 3	Level 3 Level 4	Level 3 Level 4 Level 5
Committed on a suspended commitment (Probation Violation)	Refer to the highest underlying adjudicated offense	Refer to the highest underlying adjudicated offense	Refer to the highest underlying adjudicated offense
YO Any Offense	Level 3	Level 3 Level 4	Level 4 Level 5

Level 0 Home or other placement arranged by parent or caregiver on conditions of supervision, as defined by DJJPP 600.

Level 1 Therapeutic Foster Care (“TFC”)

Level 2 Group Home (“GH”), Private Child Care Providers (“PCC”)

Level 3 Staff Secure Youth Development Centers (“YDC”)

Level 4 Physically Secure Youth Development Center

Level 5 Maximum Secure Youth Development Center

No Level Psychiatric Residential Treatment Facility (“PRTF”) and Psychiatric Hospital admissions facilitated by the Classification Branch.

Table 3. Initial Placement Matrix (Excluding Declared Juvenile Sexual Offenders)

Initial Placement Matrix for Declared Juvenile Sexual Offenders

Declared JSO and DJJ Risk Assessment	JSO Assessment Low/Low-Moderate Risk	JSO Assessment Moderate/Moderate-High Risk	JSO Assessment High Risk
Declared/Low Risk	Level 0 Level 1	Level 0 Level 1 Level 2 Level 3	Level 2 Level 3
Declared/Moderate Risk	Level 0 Level 1	Level 0 Level 1 Level 2 Level 3	Level 2 Level 3 Level 4
Declared/High Risk	Level 0 Level 1 Level 2	Level 1 Level 2 Level 3	Level 3 Level 4 Level 5
Sex Offender YO Any Risk Level	Level 3	Level 3 Level 4	Level 3 Level 4 Level 5

Table 4. Initial Placement Matrix for Declared Juvenile Sexual Offenders

VI. OVERRIDES OF INITIAL CLASSIFICATION PLACEMENT DECISIONS

- A. Factors that may override an initial placement level outside of matrix options, either higher or lower include:
1. Behavior in detention;
 2. Serious physical injury;
 3. Type of weapon and extent of potential for harm;
 4. Services available to meet youth's needs in less restrictive placement;
 5. Increase level of services in current placement;
 6. Youth is considered to be an AWOL risk due previous AWOL or threats of AWOL;
 7. Community safety is at issue because the youth's current or prior behavior indicates a significant risk to harm to self or others;
 8. Disabilities such as deafness, blindness, chronic illness, or physical disabilities; or
 9. Age or physical stature of youth.
- B. If the JSW or JSDS believes the placement level decision as determined by the Classification Branch Manager or designee is inappropriate, too high or too low, an override request may be submitted. The request shall be written in electronic format and sent through the chain of command to the Division Director of Community and Mental Health Services or designee. The decision of the Division Director of Community and Mental Health Services or designee shall be forwarded to the Classification Branch Manager.
- C. If the Classification Branch Manager does not agree with the Division Director of Community and Mental Health Services decision, then it shall be forwarded to the Division Director of Placement Services in an attempt to reach an agreement.
- D. If an agreement is not reached, the decision shall be forwarded to the Deputy Commissioner of Operations and the Deputy Commissioner of Community and Mental Health Services in an attempt to reach an agreement.
- E. If the Deputy Commissioners cannot reach agreement, the decision shall be forwarded to the Commissioner. The decision of the Commissioner shall be considered final and not subject to reconsideration.
- F. All requests for override shall include supporting documentation and information.

G. Classification Branch staff shall enter the final decision into the Information Management System.

VII. ADMINISTRATIVE TRANSFER REQUEST (ATR)

- A. An ATR shall be submitted for any committed youth for whom a change or extension within the placement continuum is requested. An ATR may be requested in the following situation:
1. DJJ facility request for an up, down, or lateral move within the placement continuum;
 2. JSW's request for an up, down, or lateral move within the placement continuum for youth in PCC, hospital, PRTF or TFC;
 3. JSW request for a youth committed on a misdemeanor offense and has completed four (4) months of treatment in an out-of-home placement, TFC, PCC, and psychiatric hospital, but requires continued treatment in an out-of-home placement;
 4. JSW request for a youth committed on Class D felony offense and has completed eight (8) months of treatment in an out-of-home placement, TFC, PCC, and psychiatric hospital, but requires continued treatment in an out-of-home placement;
 5. DJJ facility request for a youth committed on a misdemeanor offense and has completed four (4) months of treatment in an out-of-home placement, but requires continued treatment in an out-of-home placement;
 6. DJJ facility request for a youth committed on Class D felony offense and has completed eight (8) months of treatment in an out-of-home placement, but requires continued treatment in an out-of-home placement; or
 7. JSW request for administratively revoked youth.
- B. The ATR packet shall be submitted by the facility counselor, treatment director, or superintendent for youth currently in a DJJ operated facility or by the JSW for youth currently in TFC, hospital, or PCC and youth that have been administratively revoked. It shall be submitted through the chain of command for verification of information included and approval by the appropriate Division Director or designee.
- C. If the Treatment Team anticipates an extension of the out-of-home timeframes will be needed an ATR shall be requested twenty-one (21) days prior to the projected release date.
- D. The JSW shall ensure the completion of the ATR Notification for youth in TFC, hospital setting, or PCC requiring a change or extension in placement or administratively revoked youth being referred for an out-of-home placement. The

residential counselor shall have the ATR Notification completed for youth in DJJ operated placements requiring a change or extension in placement.

- E. Once reviewed and approved by the Division Director of the requesting DJJ operated facility or Division Director of Community and Mental Health Services, the packet shall be submitted to the Classification Branch.
- E. All youth shall be provided due process consisting of notice of intent to transfer to another out of home placement and an opportunity for the youth to respond either verbally or in writing at the time of notice. If the referring placement believes the ATR notification to youth will create a safety, security, or flight risk or if the ATR is an emergency request, the notification to the youth and opportunity for response shall be given as soon as practical in a setting to maintain safety, security, and control of the youth.
- F. Criteria supporting justification for extension of out of home placement timeframes:
 - 1. Safety concerns for the community or youth exist based on current behavior.
 - 2. Pending the outcome of a DCBS investigation on the proposed placement residence, when no other community residence is viable.
 - 3. Pending the outcome of an Interstate Compact referral for a proposed home evaluation and/or courtesy supervision, when no other community residence is available.
 - 4. Further out of home placement is necessary for completion of treatment.
 - 5. Youth requests extension due to being fearful to return to the community based on historical threats of violence or retaliation from community acquaintances.
 - 6. Youth requests extension of timeframe for educational purposes not to exceed thirty (30) days.
- G. The ATR packet shall consist of:
 - 1. A written justification for the ATR;
 - 2. An ATR notification to the youth if available prior to the submission of the ATR packet;
 - 3. Supporting documentation, if applicable, includes:
 - a. Incident reports;
 - b. New commitment order and petitions;

- c. Psychosexual reassessments; and
- d. Letters, information, requests from youth or other interested parties.
- e. For an ATR downward to a Level 1-2, supporting documentation shall also include:
 - i. Documentation supporting the need for continued services in an out of home setting;
 - ii. Documentation of an unapproved home evaluation completed by the JSW, date of referral to DCBS, and status of referral;
 - iii. Documentation of an approved home evaluation reflecting continued needs of transitional or reunification services prior to youth returning to the family home. Approval for the ATR to proceed shall be granted by the Juvenile Services Regional Manager;
 - iv. Documentation that youth is fearful to return to the community based on historical threats of violence or retaliation from community acquaintances.
- f. For an ATR downward from a Level 4 or 5 to a Level 3, supporting documentation shall also include documentation supporting the need for continued services in an out of home setting.
- g. All ATR's submitted by DJJ facility staff shall include written acknowledgement from the JSW.
- h. Written justification for extension of out of home placement timeframe, where applicable.
- H. If the notification to the youth was not included in the ATR packet, the Classification Branch shall notify the receiving facility that notification and due process for the youth needs to occur.
- I. If the ATR notification to the youth was not completed by the referring placement due to safety, security or flight risk, the receiving facility shall provide the notification to the youth providing the reasons for the transfer and provide the youth an opportunity to respond to the ATR Committee for reconsideration to ensure due process.
- J. The treatment team may withdraw an ATR packet at any time.
- K. Upon receipt of the ATR packet, the Classification Branch Manager shall determine the appropriate course of action in processing the ATR.

1. The Classification Branch Manager or designee shall review and take action relating to a request for:
 - a. A lateral or lower level of placement; and
 - b. An out-of-home placement for revoked youth.
2. An ATR of a YO to any placement lower than Level 3 shall be processed as follows, with the Commissioner having final approval authority:
 - a. The ATR shall be submitted by the youth counselor, treatment director, or superintendent for youth currently in a DJJ operated facility through the chain of command for verification of information and approval by the appropriate Division Director or designee;
 - b. Once reviewed and approved by the Division Director the packet shall be submitted to the Classification Branch;
 - c. Classification Branch Manager or designee shall review and present the ATR to the Deputy Commissioner of Program Operations and Deputy Commissioner of Community and Mental Health Services for approval and submission to the Office of the Commissioner; and
 - d. If approved by the Commissioner the Classification Branch will determine placement location and arrange transportation.
3. The ATR committee shall review the following:
 - a. A request for a higher level of placement;
 - b. A request for an extension of time in out-of-home placement for youth committed on a misdemeanor or Class D felony, excluding declared JSO's or offenses involving a deadly weapon, who have exhausted their out of home placement timeframes;
 - c. A request for an out-of-home placement for administratively revoked youth committed on a misdemeanor or Class D felony, excluding declared JSO's or offenses involving a deadly weapon to review prior months of treatment on original commitment, who have exhausted their out of home placement timeframes; or
 - d. A request for youth to return home directly from a maximum secure facility unless otherwise ordered by the court or the commitment has expired.

The ATR Committee shall consider the following factors for step-down requests from maximum secure facility to home:

- i. The youth has attained at least Developmental Level.
 - ii. The youth has exhibited significant improvement in the areas of behavior, academic, vocational skills, and treatment work as identified and monitored by the youth's treatment team.
 - iii. When a PO has completed a Level 5 program, the youth shall be returned home unless the ATR Committee finds specific factors that require continued out-of-home placement.
- e. All extensions of out of home placement timeframes approved by the Commissioner shall be reviewed at a maximum of every thirty (30) days to ensure that out of home placement is still warranted.

4. The ATR Committee shall consist of:

- a. Deputy Commissioner of Operations (Chairperson);
- b. Division Director of Community and Mental Health Services;
- c. Chief of Mental Health Services;
- d. Director of Medical Services;
- e. Director of Placement Services;
- f. Classification Branch Manager; and
- g. Division Director(s) from Residential Services.

5. Each ATR Committee member may be represented by a designee.

Representatives of PCC agencies may also provide information or be represented at the committee meeting as necessary.

- L. The JSW, JSDS, youth counselor, Transportation Branch Manager, or Superintendent may attend as necessary or required.
- M. The ATR Committee shall meet weekly, as determined by the Deputy Commissioner of Operations, and shall review all submitted ATRs.
- N. The ATR Committee shall have four (4) members participating in person or by teleconference; however, representatives from the Division of Community, Mental

Health Services and Placement Services Division, and the Chief of Mental Health Services or designee shall participate in all committee meetings.

- O. The Classification Branch staff shall present the information regarding the ATR to the ATR Committee.
- P. The Classification Branch staff shall maintain documentation of all ATR Committee meetings including participants, cases being presented, any requests for further information from the requesting DJJ operated facility, JSW, or JSDS, responses from previous requests, and recommendations for each case presented.
- Q. The ATR Committee's decision regarding level of placement shall be made by consensus. If the ATR Committee's decision differs from the treatment team's original request, it shall be returned in writing with explanation and signed by all committee members present
- R. The requesting DJJ operated facility, JSW, or JSDS shall respond to questions from the ATR Committee either by teleconference or e-mail in order to clarify issues related to the request and services needed for each youth.
- S. The decision of the ATR Committee may be:
 - 1. Approval;
 - 2. Deferral of the request for additional information. The request for additional information shall be specific and in writing; or
 - 3. Denial.
 - 4. All decisions of the ATR Committee shall be acknowledged in writing by each Committee member.
- T. The recommendations or decisions of the ATR Committee shall be provided to the requesting DJJ operated facility, JSW, and JSDS via e-mail by the Classification Branch within two (2) business days.
- U. The Classification Branch Manager or designee shall determine the placement location for the youth.
- V. When the determination is made to utilize a PCC residential placement with a religious affiliation for either an initial or step down placement the following shall occur:
 - 1. The Classification Branch shall notify the JSW electronically that the placement option has a religious affiliation.

2. If Classification is not notified within three (3) business days of a youth, parent, or caregiver objection or is notified that there was no youth, parent, or caregiver objection, Classification shall send a referral packet to the targeted placement option.
 - a. If accepted the youth shall be placed consistent with the Classification and Placement Manual.
 - b. If not accepted youth shall be placed consistent with the Classification and Placement Manual regarding treatment needs and Classification placement Level of the youth.
 3. If Classification is notified within three (3) business days of a youth, parent, or caregiver objection to any or all placements with a religious affiliation, Classification shall hold the referral packet to the objectionable placement option.
 - a. If all placement options are objectionable alternative placement options without religious affiliation shall be identified and Classification shall send a referral packet to identified placement options, identify placement options without religious affiliation, and send a referral packet to the newly identified placement options.
 - i. If accepted the youth will be placed pursuant to the Classification and Placement Manual.
 - ii. If not accepted into alternate placement, or the treatment needs cannot be met at an alternate placement, the youth shall be placed consistent with the Classification and Placement Manual regarding treatment needs and Classification placement Level of the youth.
 - b. Referral to the original placement may be considered along with any comparable Level DJJ placement.
 4. If the youth is placed in the original placement option which was objected to by the youth, parent, or caregiver, the Classification Branch shall:
 - a. Document the rationale for the placement despite youth, parent, or caregiver objection; and
 - b. Send the youth and parent or caregiver a letter explaining the rationale for placement within fourteen (14) days of placement.
- W. The Classification Branch shall be the custodian for all the records related to ATR's.

VIII. EMERGENCY ADMINISTRATIVE TRANSFER REQUEST (E-ATR)

- A. A request for an emergency administrative transfer request (E-ATR) for an immediate change in out of home placement of any committed PO or sentenced YO currently in out of home placement shall be submitted through the chain of command for approval to the Division Director of Community and Mental Health Services or designee for youth who are placed in a hospital, PCC, or TFC setting or respective Regional Division Director or designee for youth placed in a DJJ operated program.
- B. Once approved, the appropriate Division Director or designee shall forward the approved E-ATR to the Classification Branch and complete notification by e-mail.
- C. Classification Branch staff shall review the E-ATR for accuracy and criteria for emergency. If all criteria are met, Classification Branch staff will present the E-ATR to the Deputy Commissioner of Operations or designee.
 - 1. The major criterion for an E-ATR shall be that the youth cannot be safely maintained in the current placement.
 - 2. Other criteria for an E-ATR may include:
 - a. AWOL attempt in a Group Home setting;
 - b. Documented assaultive behavior towards residents or staff after appropriate disciplinary actions are utilized;
 - c. Medical or psychiatric conditions arise for which treatment in current setting is not available;
 - d. De-Certification by Medicaid in a hospital placement; or
 - e. Youth AWOL from out of home placement and picked up on a Commissioners Warrant with time expiring (KRS 635.100(1) and (4)).
 - f. An extension of the out-of-home placement timeframe has become necessary based on information meeting the criteria in Section VII. F. which was not present prior to 21 days of the youths anticipated release.
- D. A decision shall be sent electronically to all relevant parties and arrangements for transportation made if necessary.

IX. ADVANCED CARE UNIT (ACU)

- A. A referral to the Advanced Care Unit (ACU) may be submitted for a committed youth in an out of home placement for the following reasons:
 - 1. The DJJ operated facility staff determines a need exists for short term admission to assess the need for medical or psychiatric treatment;
 - 2. The JSW or JSDS determines a need exists for short term admission to assess the need for medical or psychiatric treatment for youth in a PCC or TFC out of home placement; and
 - 3. In a detention out of home placement a referral has been sent to Classification and the Classification Branch Manager or designee determines a need exists for medical or psychiatric assessment.
- B. Admission to the Advanced Care Unit
 - 1. All referrals to the ACU shall be sent to the Classification Branch Manager or designee.
 - 2. The referrals submitted shall be in compliance with the Classification and Placement Manual.
 - 3. The following admission criteria shall be used by the ACU Committee in making their placement decision. All of the following shall apply:
 - a. Youth is currently exhibiting a need for assessment for medical or psychiatric treatment as a result of serious dysfunction in behavior, judgment, thinking, or mood;
 - b. If not admitted to the ACU, the youth will continue to suffer severe emotional distress that may lead to deterioration in functioning; and
 - c. The ACU is the least restrictive placement in the DJJ continuum of care that can safely and efficiently meet the treatment and behavioral needs of the youth at the time of referral as determined by the ACU Committee.
 - 4. Length of stay on the ACU shall not exceed sixty (60) days without the prior approval of the ACU Committee. Movement of a youth to the ACU is not a new placement and will not require an ATR.
 - 5. If the sending facility has documented treatment reasons as to why the youth is inappropriate for return to that facility an ATR should be submitted within seven (7) days of the youth's admission to ACU.
- C. Classification Branch staff shall review for completeness and request additional information as necessary.
- D. Classification Branch staff shall forward the request to the ACU Committee.

E. The ACU Committee shall consist of:

1. Chief of Mental Health Services or designee if issue is related to mental health;
2. Director of Medical Services or designee if issue is related to medical health;
3. Division Director of Community and Mental Health Services or designee;
4. Central Region Division Director or designee;
5. Central Region Facilities Regional Administrator (FRA);
6. Audubon YDC Superintendent or designee;
7. Audubon Treatment Director or facility psychologist; and
8. Classification Branch Manager or designee.

F. The ACU Committee shall review all referral information submitted and determine if admission to the ACU is necessary. The committee shall develop a consensus opinion regarding the appropriateness of admission to the ACU with the Chief of Mental Health Services or designee making the final determination. If the youth does not meet the admission criteria, the ACU Committee shall make formal recommendations for care and treatment goals for management to the referral source. The Committee members shall respond to the Classification Branch by e-mail with their recommendations within four (4) hours and reason for approval or denial of referral.

G. Release Criteria

1. The treatment team shall review the youth's progress to determine a transition plan for the continuation of needed services.
2. The youth shall be released from ACU when one (1) of the following has occurred:
 - a. Youth has achieved and continues to demonstrate consistent behaviors outlined in the Special Management Plan (SPM);
 - b. The medical issue of the youth has been resolved;
 - c. The youth has completed the short term treatment goals;
 - d. The treatment team determines the youth is no longer benefitting from placement in ACU or continued placement in ACU is contraindicated by the treatment needs of the youth; or
 - e. The functioning of the youth decompensates to a point where psychiatric hospitalization becomes necessary.
3. If a youth has not fully stabilized or has not been able to transition back to an appropriate setting at the end of the sixty (60) day treatment period:
 - a. The treatment team may deem that additional treatment work is needed to achieve stability and request approval from the ACU Committee electronically to extend the stay of the youth; and

- b. Upon approval of the extended ACU stay, the treatment team will review the case weekly and make recommendations for placement needs as the condition of the youth changes.
- 4. Once assessment is complete and the youth's behavior has stabilized, the treatment team shall complete a discharge summary and submit it to Classification Branch Manager who will then submit it to the ACU Committee for review.
 - a. The discharge summary shall include the interventions attempted with outcomes and recommendations for future interventions.
 - b. If the recommendation from the ACU treatment team is that the youth be returned to placement as soon as practical and discharge from ACU is approved, the Classification Branch shall make arrangements for the youth's return when placement is available.
 - c. If the recommendation from the ACU treatment team is that the youth not return to the sending facility, the discharge summary shall serve as the ATR. The Classification Branch will continue with ATR process as outlined within this manual Section VII.